

# RURAL MUNICIPALITY OF RIDING MOUNTAIN WEST

## By-law No. 2019-07

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Municipal Office and must be consulted for purposes of interpretation and applications of the law.

# OFFICE CONSOLIDATION

## ANGUSVILLE UTILITY RATES

By-law No. 2019-07

Including Amendments to

This By-law has been consolidated under the authority of the Chief Administrative Officer. It represents proof, in absence of evidence to the contrary of:

- a) The original by-law and all by-laws amending it; and
- b) The fact of passage of the original and all amending bylaws.

AMENDMENTS

DATE PASSED

BY-LAW NO. 2019-07

ANGUSVILLE UTILITY RATE

Being A By-law of the Rural Municipality of Riding Mountain West to establish Water and Wastewater Rates for the Angusville Utility.

WHEREAS The Rural Municipality of Riding Mountain West has undertaken a water and sewer rate study for the Angusville Utility that indicates water and wastewater rates require to be increased;

AND WHEREAS, subject to *The Public Utilities Board Act*,

Section 232(1) of provides that a council may pass by-laws for municipal purposes respecting the following matters:

(l) 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.

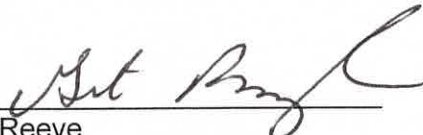
NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF RIDING MOUNTAIN WEST IN SESSION DULY ASSEMBLED, HEREBY ANACTS A BY-LAW AS FOLLOWS:

1. THAT all accounts for minimum quarterly charges for metered services for the Angusville Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer 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 Riding Mountain West 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 Riding Mountain West 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 Riding Mountain West's Angusville 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 wilfully or maliciously hinder or cause to hinder the Rural Municipality of Riding Mountain West or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer 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 Riding Mountain West 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 that 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 July 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 this By-law repeals the following any and all previous Angusville Utility Rate By-laws of the former Rural Municipality of Silver Creek and the Rural Municipality of Riding Mountain West, specifically but not limited to:
  - a) The Rural Municipality of Riding Mountain West By-law 2014-01

AND THAT this By-Law shall come into full force and effect on May 13<sup>th</sup>, 2020.

**DONE AND PASSED** in Council assembled in Inglis, Manitoba this 13<sup>th</sup> day of May 2020.

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Chief Administrative Officer

Read a first time this 20<sup>th</sup> day of March 2019.

Read a second and third time this 13<sup>th</sup> day of May.

Read a third and final time this 13<sup>th</sup> day of May.

**RURAL MUNICIPALITY OF RIDING MOUNTAIN WEST  
ANGUSVILLE UTILITY  
WATER & SEWER UTILITY RATES BY-LAW NO.  
SCHEDULE "A"  
SCHEDULE OF QUARTERLY RATES**

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

July 1, 2020

<u>1,000 Gallons per quarter</u>		
Water	Sewer	Water & Sewer
\$38.28	\$1.25	\$39.53

Quarterly Service Charge \$10.31

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**

<u>Meter Size</u>	<u>Water Included Gallons</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Sewer Commodity Charge</u>	<u>Deficit Rate Rider (see Clause 4 \$11.19/1,000)</u>	<u>Water &amp; Sewer Total Quarterly Minimum</u>
5/8 inch	3,000	\$10.31	\$114.84	\$3.75	\$33.57	\$162.47
3/4 inch	6,000	\$10.31	\$229.68	\$7.50	\$67.14	\$314.63
1 inch	12,000	\$10.31	\$459.36	\$15.00	\$134.28	\$618.95
1 ½ inch	30,000	\$10.31	\$1,148.40	\$37.50	\$335.70	\$1,531.91
2 inch	75,000	\$10.31	\$2,871.00	\$93.75	\$839.25	\$3,814.31

b) **Water Only Customers**

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

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$48.00 per 1,000 gallons.

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

**January 1, 2021**

<u>1,000 Gallons per quarter</u>		
Water	Sewer	Water & Sewer
\$39.21	\$1.30	\$40.51

Quarterly Service Charge \$13.77

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**

Meter Size	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Sewer Commodity Charge	Deficit Rate Rider (see clause 4 \$11.19/1,000)	Water & Sewer Total Quarterly Minimum
5/8 inch	3,000	\$13.77	\$117.63	\$3.90	\$33.57	\$168.87
3/4 inch	6,000	\$13.77	\$235.26	\$7.80	\$67.14	\$323.97
1 inch	12,000	\$13.77	\$470.52	\$15.60	\$134.28	\$634.17
1 ½ inch	30,000	\$13.77	\$1,176.30	\$39.00	\$335.70	\$1,564.77
2 inch	75,000	\$13.77	\$2,940.75	\$97.50	\$839.25	\$3,891.27

b) **Water Only Customers**

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

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$49.00 per 1,000 gallons.

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

January 1, 2022

<u>1,000 Gallons per quarter</u>		
Water	Sewer	Water & Sewer
\$40.13	\$1.35	\$41.48

Quarterly Service Charge \$17.23

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**

Meter Size	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Sewer Commodity Charge	Deficit Rate	Water & Sewer Total Quarterly Minimum
					Rider see Clause 4 \$11.19/1,000	
5/8 inch	3,000	\$17.23	\$120.39	\$4.05	\$33.57	\$175.24
3/4 inch	6,000	\$17.23	\$240.78	\$8.10	\$67.14	\$333.25
1 inch	12,000	\$17.23	\$481.56	\$16.20	\$134.28	\$649.27
1 ½ inch	30,000	\$17.23	\$1,203.90	\$40.50	\$335.70	\$1,597.33
2 inch	75,000	\$17.23	\$3,009.75	\$101.25	\$839.25	\$3,967.48

Deficit rate rider expires September 30, 2023

b) **Water Only Customers**

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

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$50.00 per 1,000 gallons.

## **The following clauses take effect July 1, 2020:**

### **4. Deficit Rate Rider**

Deficit Rate Rider authorized by PUB Order #96/18 commencing October 1, 2018 for 2014 to 2016 actual audited net operating deficit based on a 5 year recovery period at a rate of \$11.19 per 1,000 gallons of water sold.

### **5. Billings and Penalties**

Accounts shall be billed quarterly based on water used and are payable within 20 days of the billing date. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date.

### **6. Disconnection**

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.

### **7. Reconnection**

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$30.00 have been paid. Water turned on or off at the request of the customer shall be charged a fee of \$30.00 for each turn on or turn off.

### **8. 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.

### **9. Hydrant Charges**

The Rural Municipality of Riding Mountain West shall pay to the Utility an annual hydrant charge of \$125 for each hydrant connected to the Angusville Utility. This will include the cost of water used for fire fighting.

### **10. 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.

### **11. Lagoon Dumping Fee**

Each septic truck company shall pay the Angusville Utility an annual fee of \$2,000 per year plus \$.01 per gallon of sewage dumped at the Angusville sewage lagoon.

12. Service To Customers Outside Utility's Limits

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

13. Sewer 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.

14. 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.

15. Meter Tampering

Where there is evidence of meter tampering a minimum charge of \$500 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

16. 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.

17. 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.

18. Authorization For Officer To Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality in the absence of the Public Works Manager, 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.