

**TOWN OF VIRDEN
BY-LAW NO. 2776**

BEING A BY-LAW OF THE TOWN OF VIRDEN TO ESTABLISH SEWER AND WATER RATES WITHIN THE TOWN.

WHEREAS the Town of Virden owns and operates a sewer and water facility within the limits of the Town of Virden;

AND WHEREAS *The Municipal Act*, S.M. 1996, C58, states in part:

- “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;”

NOW THEREFORE be it and it is hereby passed and enacted as a by-law of the Town of Virden in Council duly assembled as follows:

- i. THAT all water service shall be supplied by meter only. All meters furnished by the Town of Virden shall be and remain the property of the Town of Virden.
- ii. THAT the Town of Virden reserves the right to discontinue the furnishing of water for fountains or jets, hoses, sprinklers, or for any other purpose, or to limit the hours for using same whenever, in the discretion of the Council, the public interests may require.
- iii. THAT all accounts for minimum quarterly charges for metered services as set forth in the 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 Town of Virden at the rates and terms set out in Schedule “A” attached hereto and forming part of this by-law.
- iv. THAT this by-law shall come into force and become effective on, from and after both approval by The Public Utilities Board and receipt of third and final reading thereof.
- v. THAT By-Law No. 2548 and By-law No. 2620 be and are hereby repealed.

DONE AND PASSED as a by-law of the Town of Virden in the Province of Manitoba this 20th day of October, A.D. 2020.

Mayor

Chief Administrative Officer

Read a first time this 19th day of November, A.D. 2019
Read a second time this 20th day of October, A.D. 2020
Read a third time this 20th day of October, A.D. 2020

Certified to be a true and correct copy of Town of Virden By-law No. 2776 that received second and third reading and was passed at the Regular Meeting of Council held on October 20, 2020.

*Rhonda Stewart, CMMA
Chief Administrative Officer
Town of Virden*

**SCHEDULE A
WATER AND SEWER RATES
BY-LAW NO. 2776**

SCHEDULE OF QUARTERLY RATES:

1. COMMODITY RATES PER 1,000 GALLONS

	Water	Sewer	Water & Sewer
Effective November 1, 2020			
First 100,000 gallons per quarter	\$6.33	\$4.45	\$10.78
All over 100,000 gallons per quarter	\$5.71	\$4.45	\$10.16
Effective February 1, 2021			
First 100,000 gallons per quarter	\$6.50	\$4.54	\$11.04
All over 100,000 gallons per quarter	\$5.79	\$4.54	\$10.33
Effective February 1 2022			
First 100,000 gallons per quarter	\$7.92	\$4.62	\$12.54
All over 100,000 gallons per quarter	\$5.87	\$4.62	\$10.49

2. MINIMUM CHARGES PER QUARTER

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

(a) Water and Sewer Customers

November 1, 2020

Meter Size	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	<u>Commodity Charges</u>		Total Quarterly Minimum
				Water	Sewer	
5/8"	1	3,000	\$ 24.18	\$ 18.99	\$ 13.35	\$ 56.52
3/4"	2	6,000	\$ 24.18	\$ 37.98	\$ 26.70	\$ 88.86
1"	4	12,000	\$ 24.18	\$ 75.96	\$ 53.40	\$ 153.54
1 1/4"	10	30,000	\$ 24.18	\$ 189.90	\$ 133.50	\$ 347.58
2"	25	75,000	\$ 24.18	\$ 474.75	\$ 333.75	\$ 832.68
3"	45	135,000	\$ 24.18	\$ 832.85	\$ 600.75	\$ 1,457.78
4"	90	270,000	\$ 24.18	\$1,603.70	\$ 1,201.50	\$ 2,829.38

February 1, 2021

Meter Size	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	Commodity Charges		Total Quarterly Minimum
				Water	Sewer	
5/8"	1	3,000	\$ 24.94	\$ 19.50	\$ 13.62	\$ 58.06
3/4"	2	6,000	\$ 24.94	\$ 39.00	\$ 27.24	\$ 91.18
5"	4	12,000	\$ 24.94	\$ 78.00	\$ 54.48	\$ 157.42
1 1/4"	10	30,000	\$ 24.94	\$ 195.00	\$ 136.20	\$ 356.14
6"	25	75,000	\$ 24.94	\$ 487.50	\$ 340.50	\$ 852.94
7"	45	135,000	\$ 24.94	\$ 852.65	\$ 612.90	\$ 1,490.49
8"	90	270,000	\$ 24.94	\$1,634.30	\$ 1,225.80	\$ 2,885.04

February 1, 2022

Meter Size	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	Commodity Charges		Total Quarterly Minimum
				Water	Sewer	
5/8"	1	3,000	\$ 25.74	\$ 23.76	\$ 13.86	\$ 63.36
3/4"	2	6,000	\$ 25.74	\$ 47.52	\$ 27.72	\$ 100.98
9"	4	12,000	\$ 25.74	\$ 95.04	\$ 55.44	\$ 176.22
1 1/4"	10	30,000	\$ 25.74	\$ 237.60	\$ 138.60	\$ 401.94
10"	25	75,000	\$ 25.74	\$ 594.00	\$ 346.50	\$ 966.24
11"	45	135,000	\$ 25.74	\$ 997.45	\$ 623.70	\$ 1,646.89
12"	90	270,000	\$ 25.74	\$1,789.90	\$ 1,247.40	\$ 3,063.04

(b) Water Only Customers

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

(c) Wastewater Only Customers

Minimum charge will be the same for each meter size as shown, above, but the Water Commodity Charge will be excluded. The customer shall make provision to have a meter installed to record the water and sewer that is disposed into the Town of Virden sanitary sewer system. The commodity rates for wastewater service listed in Section 1 hereof will apply.

(d) Private Water Systems

Customers that meet a portion of their water supply requirements with private water systems shall make provision to have a meter installed to record the volume of wastewater that is disposed into the Town of Virden sanitary wastewater system. The commodity rates for sewer service listed in Section 1 hereof will apply.

The following clauses take effect November 1, 2020

3. **BULK SALE RATES**

All water sold in bulk by the Town of Virden shall be charged for at the rate of \$ 12.00 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 \$ 6.00.

4. **SERVICE TO CUSTOMERS OUTSIDE TOWN BOUNDARIES**

The Council of the Town of Virden may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of the Town of Virden. Such agreements shall provide for payment of the appropriate rates set out in the above schedules, as well as a surcharge, set by resolution of Council, which shall be equivalent to the frontage or per parcel levy, general taxes and special taxes for 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 these boundaries. In addition, all costs of connecting to the utility's mains and installing and maintaining service connections will be paid by the customer.

5. **BILLINGS AND PENALTIES**

A late payment charge of 1.25% shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen days after the mailing of the bills.

6. **DISCONNECTION**

The Public Utilities Board has approved the Conditions Precedent to be followed by the Town with respect to the 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 Town'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 \$ 50.00 (\$100.00 if reconnection is to occur after normal working hours) have been paid.

8. **OUTSTANDING BILLS**

Pursuant to Section 252(2) of *The Municipal Act*, the amount of all outstanding charges for water and sewer service are a lien and charge upon the land serviced, and shall be collected in the same in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

9. **HYDRANT RENTALS**

The Town of Virden will pay to the utility an annual rental of \$ 150.00 for each hydrant connected to the system.

10. WATER ALLOWANCE DUE TO LINE FREEZING

That in any case where, at the request of the 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. SEWAGE SURCHARGES

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 wastes.

12. REQUEST FOR METER TESTING

Any customer may request that their water meter be tested. Upon receipt of a one hundred dollar (\$100.00) deposit, the Town of Virden will submit the meter for testing to an independent testing company. Should the meter be found to be reading in excess of actual flows, the said deposit of \$100.00 shall be returned to the customer. Should the meter be found to be accurate or reading below the actual flows, the customer shall forfeit the deposit to cover the cost of testing.