

# Rural Municipality of Ritchot

## By-Law No.10-2021

### **BEING A BY-LAW OF THE RURAL MUNICIPALITY OF RITCHOT TO COMBINE UTILITIES AND TO ESTABLISH WATER AND WASTEWATER RATES FOR RITCHOT UTILITY.**

**WHEREAS** the Rural Municipality of Ritchot owns and operates:

- Ste. Agathe Water and Wastewater Utility;
- St. Adolphe Water and Wastewater Utility;
- Ile des Chenes Water and Wastewater Utility; and
- Rural Water Utility

**AND WHEREAS** the Rural Municipality of Ritchot by this by-law is combining the aforesaid Utilities into one Utility to be known as the Ritchot Water and Wastewater Utility;

**AND WHEREAS** The Rural Municipality of Ritchot has undertaken a water and wastewater rate study for the Ritchot Utility that indicates water and wastewater rates require to be increased;

**AND WHEREAS** Section 232 (1) and (2) and 252 (1) of The Municipal Act, S.M. 1996, c. 58, provides in part as follows:

232(1) A council may pass by-laws for municipal 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;

252(1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b), (c) and (e) may set terms and conditions in respect of users, including

(a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;

**AND WHEREAS** it is deemed advisable to provide rates for January 1, 2023, January 1, 2024 and January 1, 2025 and thereafter to be paid by persons to whom water and wastewater collection is supplied by the Ritchot Water and Wastewater Utility and to provide for the collection thereof;

**NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF RITCHOT IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:**

- 1) THAT the Ste. Agathe Water and Wastewater Utility, St. Adolphe Water and Wastewater Utility, Ile des Chenes Water and Wastewater Utility and Rural Water Utility be combined into one Utility effective January 1, 2023 to be known as the Ritchot Water and Wastewater Utility;
- 2) THAT all accounts for minimum quarterly charges for metered services for the Ritchot 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 this by-law.
- 3) THAT The Rural Municipality of Ritchot 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 the Public Works Manager or someone acting on his/her behalf, or a representative of The Rural Municipality of Ritchot 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.
- 5) THAT the meter shut off valve inside premises serviced with water by Ritchot 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.

- 6) THAT no person shall wilfully or maliciously hinder or cause to hinder The Rural Municipality of Ritchot or its representative in the exercise of their duties in relation to the operation and maintenance of the water or wastewater system.
- 7) 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 one thousand dollars (\$1,000) and costs for each violation;
  - b) be liable to Rural Municipality of Ritchot 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.
- 8) This by-law and rates for January 1, 2023, January 1, 2024 and January 1, 2025 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.
- 9) That Water and Wastewater Rates By-law Nos. 7-2002, 8-2002, 18-2003, 19-2003 and 4-2006 of the Rural Municipality of Ritchot be repealed as of January 1, 2023 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

**PASSED AND ENACTED BY THE RURAL MUNICIPALITY OF RITCHOT IN COUNCIL  
DULY ASSEMBLED THIS 16<sup>th</sup> day of November, 2022.**

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Chris Ewen, Mayor

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Mitch Duval, Chief Administrative Officer

Read a first time this 21<sup>st</sup> day of July, 2021.

Read a second time this 16<sup>th</sup> day of November, 2022.

Read a third time 16<sup>th</sup> day of November, 2022.

**RURAL MUNICIPALITY OF RITCHOT  
RITCHOT WATER AND WASTEWATER UTILITY  
SCHEDULE "A" - UTILITY RATES BY-LAW NO. 10-2021  
SCHEDULE OF QUARTERLY RATES**

**1. Schedule of Quarterly Service Charge & Commodity Rates January 1, 2023**

Quarterly Service Charge	\$9.53		
	<u>Water</u>	<u>Wastewater</u>	<u>Water &amp; Wastewater</u>
Domestic, all customers, Cubic Meters	\$1.68	\$.67	\$2.35
Wholesale – Ste. Agathe – Over 227 Cubic Meters	\$1.36	\$.67	\$2.03
Wholesale – Ile des Chenes, St. Adolphe & Rural – Over 91 Cubic Meters	\$1.46	\$.67	\$2.13

**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**

<u>Meter Size</u>	<u>Group Capacity Ratio</u>	<u>Water Included Cubic Meters</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Water &amp; Wastewater Total Quarterly Minimum</u>
<u>All Customers</u>						
5/8"	1	14	\$9.53	\$23.52	\$9.38	\$42.43
3/4"	2	28	\$9.53	\$47.04	\$18.76	\$75.33
1"	4	56	\$9.53	\$94.08	\$37.52	\$141.13
<u>St. Agathe Customers</u>						
1 1/2"	10	140	\$9.53	\$235.20	\$93.80	\$338.53
2"	25	340	\$9.53	\$535.04	\$227.80	\$772.37
3"	45	615	\$9.53	\$909.04	\$412.05	\$1,330.62
4"	90	1,230	\$9.53	\$1,745.44	\$824.10	\$2,579.07
<u>Ste. Adolphe, Ile des Chenes, Rural Customers</u>						
1 1/2"	10	140	\$9.53	\$224.42	\$93.80	\$327.75
2"	25	340	\$9.53	\$516.42	\$227.80	\$753.75
3"	45	615	\$9.53	\$917.92	\$412.05	\$1,339.50
4"	90	1,230	\$9.53	\$1,815.82	\$824.10	\$2,649.45

**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) Viterra Canola Plant**

Notwithstanding the Wastewater Commodity rates and charges set forth above, the Ste. Agathe Viterra Canola Plant shall be charged for wastewater service at the following rate:

Wastewater Rate calculation – at the wastewater rates set forth above to be applied to 85% of the actual water consumption of the plant.

**3. Wastewater Only Customers – Residential Equivalency Units**

Wastewater only charges shall be based on one residential equivalency unit and shall be billed annually.

<u>Customer</u>	<u>Residential Equivalency Units</u>	<u>Customer Service Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Total Annual Charge</u>
Residential	Single family dwelling	\$9.53	\$112.90	\$122.43
Residential	Mobile home	\$9.53	\$112.90	\$122.43

**4. Bulk Water Sales**

All water sold in bulk by the Utility will be charged at the rate of \$2.00 per cubic meter.

**5. Wastewater Lagoon Septic Truck Tipping Fees**

To access and dump at the Wastewater Lagoon, per load based on truck capacity:

Septic trucks with capacity up to 9 cubic meters	\$30.00
Septic trucks with capacity over 9 cubic meters	\$60.00

**1. Schedule of Quarterly Service Charge & Commodity Rates January 1, 2024**

Quarterly Service Charge \$10.06

	<u>Water</u>	<u>Wastewater</u>	<u>Water &amp; Wastewater</u>
Domestic, all customers, Cubic Meters	\$1.82	\$0.90	\$2.72
Wholesale – Ste. Agathe– Over 227 Cubic Meters	\$1.65	\$0.90	\$2.55
Wholesale – Ile des Chenes, St. Adolphe & Rural – Over 91 Cubic Meters	\$1.71	\$0.90	\$2.61

**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	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water & Wastewater		
				Water Commodity Charge	Wastewater Commodity Charge	Wastewater Total Quarterly Minimum
<u>All Customers</u>						
5/8"	1	14	\$10.06	\$25.48	\$12.60	\$48.14
3/4"	2	28	\$10.06	\$50.96	\$25.20	\$86.22
1"	4	56	\$10.06	\$101.92	\$50.40	\$162.38
<u>St. Agathe Customers</u>						
1 1/2"	10	140	\$10.06	\$254.80	\$126.00	\$390.86
2"	25	340	\$10.06	\$599.59	\$306.00	\$915.65
3"	45	615	\$10.06	\$1,053.34	\$553.50	\$1,616.90
4"	90	1,230	\$10.06	\$2,068.09	\$1,107.00	\$3,185.15
<u>Ste. Adolphe, Ile des Chenes, Rural Customers</u>						
1 1/2"	10	140	\$10.06	\$249.41	\$126.00	\$385.47
2"	25	340	\$10.06	\$591.41	\$306.00	\$907.47
3"	45	615	\$10.06	\$1,061.66	\$553.50	\$1,625.22
4"	90	1,230	\$10.06	\$2,113.31	\$1,107.00	\$3,230.37

**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) Viterra Canola Plant**

Notwithstanding the Wastewater Commodity rates and charges set forth above, the Ste. Agathe Viterra Canola Plant shall be charged for wastewater service at the following rate:

Wastewater Rate calculation – at the wastewater rates set forth above to be applied to 85% of the actual water consumption of the plant.

**3. Wastewater Only Customers – Residential Equivalency Units**

Wastewater only charges shall be based on one residential equivalency unit and shall be billed annually.

Customer	Residential Equivalency Units	Customer Service Charge	Wastewater Commodity Charge	Total Annual Charge
Residential	Single family dwelling	\$10.06	\$151.65	\$161.71
Residential	Mobile home	\$10.06	\$151.65	\$161.71

**4. Bulk Water Sales**

All water sold in bulk by the Utility will be charged at the rate of \$2.00 per cubic meter.

**5. Wastewater Lagoon Septic Truck Tipping Fees**

To access and dump at the Wastewater Lagoon, per load based on truck capacity:

Septic trucks with capacity up to 9 cubic meters	\$30.00
Septic trucks with capacity over 9 cubic meters	\$60.00

1. **Schedule of Quarterly Service Charge & Commodity Rates** **January 1, 2025**

Quarterly Service Charge	\$10.58			
		<u>Water</u>	<u>Wastewater</u>	<u>Water &amp;</u>
<u>Wastewater</u>				
All customers, all volumes, Cubic Meters	\$1.95	\$1.14		\$3.09

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**

<u>Meter Size</u>	<u>Group Capacity Ratio</u>	<u>Water Included Cubic Meters</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Wastewater Total Quarterly Minimum</u>
Water &						
<u>All Customers</u>						
5/8"	1	14	\$10.58	\$27.30	\$15.96	\$53.84
3/4"	2	28	\$10.58	\$54.60	\$31.92	\$97.10
1"	4	56	\$10.58	\$109.20	\$63.84	\$183.62
1 1/2"	10	140	\$10.58	\$273.00	\$159.60	\$443.18
2"	25	340	\$10.58	\$663.00	\$387.60	\$1,061.18
3"	45	615	\$10.58	\$1,199.25	\$701.10	\$1,910.93
4"	90	1,230	\$10.58	\$2,398.50	\$1,402.20	\$3,811.28

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) **Viterra Canola Plant**

Notwithstanding the Wastewater Commodity rates and charges set forth above, the Ste. Agathe Viterra Canola Plant shall be charged for wastewater service at the following rate:

Wastewater Rate calculation – at the wastewater rates set forth above to be applied to 85% of the actual water consumption of the plant.

3. **Wastewater Only Customers – Residential Equivalency Units**

Wastewater only charges shall be based on one residential equivalency unit and shall be billed annually.

<u>Customer</u>	<u>Residential Equivalency Units</u>	<u>Customer Service Charge</u>	<u>Wastewater Commodity Charge</u>	<u>Total Annual Charge</u>
Residential	Single family dwelling	\$10.58	\$192.10	\$202.68
Residential	Mobile home	\$10.58	\$192.10	\$202.68

4. **Bulk Water Sales**

All water sold in bulk by the Utility will be charged at the rate of \$2.00 per cubic meter.

5. **Wastewater Lagoon Septic Truck Tipping Fees**

To access and dump at the Wastewater Lagoon, per load based on truck capacity:

Septic trucks with capacity up to 9 cubic meters	\$30.00
Septic trucks with capacity over 9 cubic meters	\$60.00

## **The following clauses take effect January 1, 2023**

### 3. Service To Customers Outside Utility's Limits

The Council of the Rural Municipality of Ritchot may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of the Municipality. Such Agreements shall provide for payment of the appropriate rates set out in the 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 Rural Municipality of Ritchot 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 except for wastewater only services which shall be billed annually based on residential equivalency units. 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. 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.

### 6. Reconnection

Any service disconnected, whether due to non-payment of account or for any other reason mutually agreed to by the customer and the Municipality (ie. repairs necessitated by negligence of the customer, changes in tenant, vacancy for an extended period of time, etc.) shall not be reconnected until all arrears and penalties and a reconnection fee of \$50.00 have been paid.

### 7. Outstanding Bills

Pursuant to Section 252(2) of The *Municipal Act*, the amount of all outstanding charges for water and wastewater services are a lien and charge upon the land serviced and shall 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 Ritchot, or any other hydrant owner, will pay to the Utility an annual fee of \$125.00 for each hydrant connected to the system which shall include the cost of water used for firefighting.

### 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. 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 \$200. 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 six (6) 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.

11. 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.

12. 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.

13. Authorization For Officer To Enter Upon Premises

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